

April 26, 2022

Carmen Guerrero Pérez
Director
United States Environmental Protection Agency
Caribbean Environmental Protection Division
City View Plaza II – Suite 7000
#48 Road 165 km 1.2
Guaynabo, PR 00968-8069

Re: Ilegal Discharge of sewage into coastal waters in Aguadilla, Puerto Rico

Dear Mrs. Guerrero-Pérez

On April 25, 2022, we inspected an illegal discharge of sewage coming from a residence located at Solar #4 Calle Ibiza Carr. 107 KM 2.7 INT Bo. Borinquen, sector Playuela Aguadilla, PR 00603. The property owners are Anaudi Hernández Pérez and Verónica N. Ponce Peña with cadastre number: 023-004-331-53-000. The house is currently being used as an events venue that attracts large numbers of guests and as a temporary/vacation rental property (commonly known as a short-term rental), and not as its intended original purpose when built as a single-family residence.

Our firm was retained by Mr. James Connor, owner of a property located to the north of the above-referenced property, to conduct an initial assessment of the existing conditions in the area. We noted the continuous flow of a discharge with solids and a very unpleasant smell in the nearby coastal waters during the inspection. Blue-green algae (cyanobacteria) is visible on the walls and sedimentary rocks where the release runs. The flow comes directly from an opening in a concrete structure similar to an above-ground storage tank. The tank or concrete structure is part of the house. We noticed that the entire parcel is being occupied by construction with no area available for a septic or sewage treatment structure from the initial observations. The property's location does not have sanitary sewer lines operated by the Puerto Rico Sewer and Aqueducts Authority, forcing all property owners to depend on septic systems to treat their wastewaters.



The house's area is formed by clay deposits mixed with limestone and sedimentary rocks. Areas where clay deposits and limestone are common present percolation problems due to the nature of the soils and rock formations. It is common to observe overflows and discharges from failing septic systems. This problem is aggravated by the intense use of the property during significant events held on weekends when dozens of people stay on the premises exceeding the septic system capacity causing the discharge to run into the coastal waters.

The coastal waters where the discharge was observed are an essential habitat for the reproduction of economic fishing species and protected species like the Elkhorn coral (Acropora palmata) and the Hawksbill Sea turtle (Eretmochelys imbricata). Also, we notice a couple of nesting white-tail tropicbird (Phaethon lepturus). The area is commonly used by surfers and visitors looking for a place with pristine waters.

We are very concerned about the potential impacts on public health and the environment by this untreated sewage discharge into coastal waters. Our team is also filling a complaint with the Puerto Rico Department of Natural and Environmental Resources/Environmental Quality Board, requesting assistance to address this situation. However, we are concerned that the state's response to this urgent matter will be delayed due to the lack of human resources and equipment. Also, a technical request was made to the Municipality of Aguadilla to address the high occupancy levels and use it as an events venue issue that is the basis of the sewage overflow impacting the nearby coastal waters.

We respectfully request immediate assistance from your agency to inspect to stop this unlawful discharge of pollutants into an essential natural resource enjoyed. Below we have included a series of images describing the existing conditions in the area. We are available to support any investigation or provide additional information to help address this vital issue.

If you have any questions or need additional information, please do not hesitate to contact me at javier@diatomenvironmental.com or via phone at (787) 467-8887.

Sincerely,

Consultant

Cc: José Rivera, USEPA



PHOTOGRAPHIC RECORD









